

1 EDMUND G. BROWN JR.
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 ASPASIA A. PAPAVALASSILOU
Deputy Attorney General
4 State Bar No. 196360
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2199
Facsimile: (510) 622-2270
7 E-mail: Aspasia.Papavassiliou@doj.ca.gov
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-396*

12 **KAREN LEAVITT**
13 **a.k.a. KAREN LYNN LEAVITT**
1184 Palm Avenue
14 Seaside, CA 93955

A C C U S A T I O N

15 **Registered Nurse License No. 648334**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about November 19, 2004, the Board of Registered Nursing issued Registered
24 Nurse License Number 648334 to Karen Leavitt, also known as Karen Lynn Leavitt
25 (Respondent). The license was in full force and effect at all times relevant to the charges brought
26 in this Accusation and will expire on November 30, 2010, unless renewed.

27 **JURISDICTION**

28 3. This Accusation is brought before the Board of Registered Nursing (Board),

1 Department of Consumer Affairs, under the authority of the following laws. All section
2 references are to the Business and Professions Code (Code) unless otherwise indicated.

3 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
4 any licensee, including a licensee holding a temporary or an inactive license, for any reason
5 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
7 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
8 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the
9 Code, the Board may renew an expired license at any time within eight years after the expiration.

10 6. Section 118 (b), of the Code provides, in pertinent part, that the expiration of a license
11 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period
12 within which the license may be renewed, restored, reissued or reinstated.

13 STATUTORY PROVISION

14 7. Section 2761 of the Code states, in pertinent part:

15 "The board may take disciplinary action against a certified or licensed nurse or deny an
16 application for a certificate or license for any of the following:

17 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

18 ...

19 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
20 against a health care professional license or certificate by another state or territory of the United
21 States, by any other government agency, or by another California health care professional
22 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
23 action. "

24 COST RECOVERY

25 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licensee found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case.

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3. Taking such other and further action as deemed necessary and proper.

DATED: October 29, 2010

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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